

IN THE SENATE OF THE UNITED STATES.

APRIL 28, 1858.—Ordered to be printed.

Mr. IVERSON submitted the following

REPORT.

The Committee on Claims, to whom was referred the petition of William L. S. Dearing, report:

The petitioner alleges, that in 1837, at the request of the late President Jackson, he raised a mounted company of Tennessee volunteers for the Florida war, and became personally responsible for a large portion of their horses and equipage. That when the company was discharged, in 1838, he was obliged to receive a transfer of the claims of the soldiers on the government to secure him against the liabilities thus incurred. That he was unable to obtain the liquidation and payment of these claims, or a large portion of them, until 1844, and in the meantime he was compelled to make great sacrifices to meet the payments which he had assumed for the service of the government. Some of the claims still remain unpaid.

He asks such relief as may comport with the principles of equity and justice.

In answer to an inquiry addressed to the department by the chairman of this committee, the following statement is made by the Third Auditor of the Treasury, viz:

“It appears from a copy of a valuation list, on file with the papers relating to Capt. Dearing’s company, that the horses and equipments of all of the non-commissioned officers and privates thereof were valued at sums amounting to \$9,208, and that Capt. Dearing has been paid, through this office, for horses, &c., lost by the members of his company, \$6,833 16. For other horses turned over by them to a quartermaster, for the use of the United States, he also received from Captain Brant the sum of \$1,965, which, being added to the payments through this office, makes \$8,798 16. This amount, it will be observed, is only \$109 84 less than the aggregate valuation of *all* the horses and equipments of all the company; and as Captain Dearing admits in his memorial *that he did not furnish all*, it seems to be quite probable that his entire outlay has been reimbursed to him, and that he has not suffered from his responsibility for the company, except from delay in recovering the amount for which he had become liable.” The claims were principally paid prior to and during the year 1844.

There is no evidence presented of the cause of the delay ; and in the absence of such evidence, the presumption is, that it was for want of the presentation of proper vouchers, and therefore no fault on the part of the government.

The committee is, therefore, of opinion that no case is presented calling for the interposition of special legislation for the relief of the claimant.